

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SAMANTHA VANOKA JONES ELABANJO,)
)
 Plaintiff,)
)
 v.) 1:10CV518
)
 F & W MANAGEMENT and TAMMY)
 SYKES,)
)
 Defendants.)

ORDER

On September 18, 2012, the United States Magistrate Judge's Recommendation was filed, and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiff filed a Motion to Amend Complaint (Doc. 33) during the objection period, but did not file any other objections to the Magistrate Judge's Recommendation (Doc. 31). Plaintiff's Motion to Amend does not propose to add any facts which would state a valid claim for relief. Therefore, Plaintiff's Motion to Amend will be denied as futile. See Laber v. Harvey, 438 F.3d 404, 426 (4th Cir. 2006) (en banc) (leave to amend complaint may be denied when the amendment would be futile).

The court has also considered Plaintiff's Motion to Amend Complaint to the extent that it could be considered objections

to the Magistrate Judge's Recommendation, and the court has made a *de novo* determination which is in accord with the Magistrate Judge's Recommendation. The Recommendation (Doc. 31) is, therefore, adopted in full.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Amend Complaint (Doc. 33) is DENIED as FUTILE.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss (Doc. 17) is GRANTED, and this action is DISMISSED.

/s/ Thomas D. Schroeder
United States District Judge

November 13, 2012